

# EXHIBIT 24

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROCKLAND VENDING CORP., KENNETH  
GALLAGHER,

*Plaintiffs,*

-against-

ROXANNE CREEN, sued in her individual capacity,  
MARSHA F. RILEY, sued in her individual capacity,  
STEWART KIDDER, sued in his individual capacity,

*Defendants.*

**DEFENDANTS' RULE 26(a)(1)  
DISCLOSURES**

07 CV 6268 (WP)(MDF)

Defendants Creen, Riley and Kidder ("defendants"), by and through their attorney Andrew M. Cuomo, Attorney General of the State of New York, hereby serves their initial disclosures, pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. The disclosures below are based on information available to defendants at this stage of the proceedings. Defendants reserve the right to amend or supplement these disclosures as may be appropriate during the course of this litigation.

Defendants do not waive, and expressly reserve the right to assert, any applicable privileges, or any other basis for withholding disclosure, with respect to these initial disclosures.

**A. Individuals Likely to Have Discoverable Information**

1. The named plaintiffs and defendants in this case are likely to have discoverable information that defendants may use to support their defenses. The parties may be contacted through their counsel appearing in this action at the addresses and phone numbers that they provide. The subjects of discoverable information that each party is likely to have are described in the allegations of the complaint. Rockland's employees are likely to have discoverable information relating to the

contracts between Rockland and DOCS and Rockland's performance that defendants may use to support their defenses in this case.

2. In addition to the above, other individuals who may have discoverable information that defendants may use to support their defenses in this case, and the topics on which they may have information, are as follows:

Nannette Ferri	The contracts between Rockland and DOCS, Rockland's performance.
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Ms. Ferri can be contacted through defendants' counsel.

Marjorie Gardner	The contract between Rockland and DOCS regarding Shawangunk CF, Rockland's performance, the events of May, 9, 2007.
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Jackie Reynolds	The contract between Rockland and DOCS regarding Shawangunk CF, Rockland's performance, the events of May, 9, 2007.
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Victoria Rizzo	The contract between Rockland and DOCS regarding Shawangunk CF, Rockland's performance, the events of May, 9, 2007.
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C.O. William Cooper	The events of May, 9, 2007.
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C.O. Shawn Brooks	The events of May, 9, 2007.
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The above individuals are employed at Shawangunk Correctional Facility, 750 Prison Road, Wallkill, New York 12589, telephone (845) 895-2081.

Judy Kyer	The contract between Rockland and DOCS regarding Coxsackie CF, Rockland's performance.
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The above individual is employed at Coxsackie Correctional Facility, Route 9W, P.O. Box 200, West Coxsackie, New York 12051, telephone (518) 731-2781.

Martha Denardo	The contract between Rockland and DOCS regarding Eastern CF, Rockland's performance.
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The above individual is employed at Eastern Correctional Facility, P.O. Box 338, Institution Road, Napanoch, New York 12458, telephone (845) 647-7400.

Alice Otero

The contract between Rockland and DOCS regarding Ulster CF, Rockland's performance.

The above individual is employed at Ulster Correctional Facility, 750 Berne Road, P.O. Box 800, Napanoch, New York 12458, telephone (845) 647-1670.

Natalie Onarati

The contract between Rockland and DOCS regarding Otisville CF, Rockland's performance.

The above individual is employed at Otisville Correctional Facility, 57 Sanitorium Avenue, P.O. Box 8, Otisville, New York 10963, telephone (845) 386-1490.

Adaline Etienne

The contract between Rockland and DOCS regarding Fulton CF, Rockland's performance.

The above individual is employed at Fulton Correctional Facility, 1511 Fulton Avenue, Bronx, New York 10457, telephone (718) 583-8000.

Rich Morman

The contract between Rockland and DOCS regarding Woodbourne CF, Rockland's performance.

Debbie Fleury

The contract between Rockland and DOCS regarding Woodbourne CF, Rockland's performance.

The above individuals are employed at Woodbourne Correctional Facility, 99 Prison Road, P.O. Box 1000, Woodbourne, New York 12788, telephone (845) 434-7730.

Suzette Pettorossi

The contract between Rockland and DOCS regarding Fishkill CF, Rockland's performance.

The above individual is employed at Fishkill Correctional Facility, P.O. Box 307, Beacon, New York 12508, telephone (845) 831-4800.

Michelle O'Gorman

The contract between Rockland and DOCS regarding Greene CF, Rockland's performance.

The above individual is employed at Greene Correctional Facility, County Road 9, P.O. Box 8, Cossackie, New York 12051, telephone (518) 731-2741.

As yet unidentified persons at the New York State Police Department, New York State Comptrollers' Office and New York City agencies may have discoverable information that defendants may use to support their defenses.

Defendants' identification of the persons above does not preclude them from discovering, through investigation or discovery, other individuals who are likely to have discoverable information that they may use to support their defenses. If defendants identify additional individuals likely to have discoverable information that they may use to support their defenses, they will supplement this disclosure.

**B. Documents in Possession Custody or Control of Defendants**

The following is a list of categories of documents, data compilations, and tangible things that defendants may use to support their defenses and that are currently in their possession, custody or control:

Defendant Creen has copies of Rockland Vending's contract with Shawangunk, bid documents, correspondence with Rockland regarding the contract, statements and receipts, pages from log books regarding Rockland visits, and videos of Rockland picking up machines at Shawangunk.

Defendant Riley has copies of Rockland Vending's contract with Lincoln, bid documents, correspondence with Rockland regarding the contract and statements and receipts.

Defendant Kidder has a copy of a survey regarding DOCS' contracts with vending machine providers and a few pages of correspondence with Rockland.

Although not required by FRCP 26(a), defendants note that they are aware that DOCS has further documents in its possession that they may obtain and use to support their defenses. Specifically, they believe that each correctional facility that Rockland services has a copy of the contract relating to that facility and related bid documents, records of payments, and correspondence with Rockland. It is further noted that the contracts at issue require Rockland to keep certain records regarding sales, commissions and payments that defendants may use to support their defenses.

If defendants identify additional documents, data compilations and tangible things that they may use to support their defenses that are in their possession, custody or control, they will supplement this disclosure.

**C. Damages**

Defendants are not asserting a claim for damages at this time. This in no way constitutes a waiver of the New York State Department of Correctional Services' rights to recover monies owed by Rockland under the contracts.

**D. Insurance Agreement**

Defendants are not aware of any insurance agreements relevant to this action.

Dated: New York, New York  
September 26, 2007

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Attorney for Defendants  
By:



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